

MINUTES

MANSFIELD PLANNING AND ZONING COMMISSION

Regular Meeting, Tuesday, January 16, 2007

Council Chambers, Audrey P. Beck Municipal Building

Members present: R. Favretti (Chairman), B. Gardner, J. Goodwin, R. Hall, K. Holt, P. Plante,

B. Ryan, G. Zimmer

Members absent: P. Kochenburger

Alternates absent: B. Pociask

Staff present: G. Padick (Director of Planning)

Chairman Favretti called the meeting to order at 7:00 p.m.

Minutes:

1/2/07 – Holt MOVED, Hall seconded, to approve the Minutes, with one correction on page 6, paragraph 2, sentence 2, which should read: Branse, on behalf of the applicant, gave the extension enabling the Planning and Zoning Commission to extend the Public Hearing. MOTION PASSED UNANIMOUSLY.

Scheduled Business:

Zoning Agent's Report

Curt Hirsch updated the Commission that there are no changes to the Hall site. He has sent the first citation with a \$150.00 fine for failure to remove the trailers.

Old Business:

1. Subdivision Application, Dunham Farm Estate, 3-lots on S. Eagleville/Dunham Pond Roads,

EJK Properties LLC., Applicant, File #1252

Padick stated that the only additional information obtained since the last meeting is a 1-15-07 memo from Madge Manfred, President of Joshua's Tract Conservation and Historic Trust, Inc. With no comments from the applicant or commission members, Chairman Favretti asked for public comment.

Jan Huber, of 83 Dunham Pond Road, who owns land abutting the existing trail, wanted to express her disagreement with the Conservation Commission's proposal. Huber summarized her concerns and emphasized that she does not feel that creating another trail is consistent with the Town Plan of Conservation and Development. She feels that the current three access areas are adequate, and is concerned that adding a fourth would create an undesirable circular trail that could damage the fragile area.

Noting no further comments from the public, Chairman Favretti suspended the Dunham Farm discussion at 7:25p.m. in order to proceed with the scheduled presentation by Earth Tech. (Four Corners Area Sewer)

Scheduled Business Continued...

Presentation by Earth Tech on Four Corners Area Sewer Study

Lon Hultgren, Director of Public Works gave a brief introduction to why the Town of Mansfield has hired Earth Tech to conduct a sewer study of the four corners area, what the status of the study is, and what the next steps to this project are. He introduced Dennis Setzko from Earth Tech, who explained the area that was surveyed and the criteria considered in analyzing each property. Setzko displayed a map that depicts the proposed areas to be serviced. He explained some of the deciding factors in evaluating the sites, such as zone classification, lot configuration, topography, soils and wetlands. Questions from the Commission included those about the potential of tying in UConn water at the same time as the sewer pipes are laid. Hultgren asked that any further questions or comments be directed to Earth Tech as soon as possible.

Public Hearing Continuation:

Special Permit Application, Proposed Expansion of Gibbs Oil Company gasoline service station/convenience store, 9 Stafford Road, File #404-3

Chairman Favretti called the continued Public Hearing to order at 7:45 p.m. Present were Favretti, Gardner, Goodwin, Hall, Holt, Plante, Ryan, and Zimmer. Gregory Padick, Director of Planning, stated that no additional Public Notice was published in the Chronicle. He noted the following supplemental information that has been submitted since the previous Public Hearing was held: a 1-11-07 memo from G. Padick, Director of Planning; a 1-16-07 memo from G. Meitzler, Assistant Town Engineer; a revised landscape Management Plan dated 1-16-07; and a picture of the proposed fencing submitted by the applicant at the 1-2-07 meeting.

Attorney Mark Branse, representing the applicant, updated the Commission on the modifications that have been made to the plans based on comments received at the 1-2-07 Public Hearing. Branse noted that they have submitted a revised Landscape Management Plan, the lighting will be white lighting, there will be no lighting or signs on the canopy, the tanks will be full vapor recovery, and the underground fuel storage tanks will be relocated to the south side of the property near the exit of the drive-through lane. In addition to those changes, the two lanes previously proposed in the north-bound direction of Route 32 (Stafford Road) is now being shown as one lane with a by-pass lane to the right for vehicles to pass around the cars turning left into the site. Branse noted that they are waiting to hear from the D.O.T. on the change, but based on their engineer's and the Town Engineer's experience with D.O.T., they do not anticipate any problems, and both feel this is a much safer design. Branse offered clarification for Buckingham Road residents who expressed concern at the 1-2-07 Public Hearing that this proposal will increase the traffic traveling on Route 32. He said there will be very little traffic increase on 32, however, more cars will be entering and exiting the site.

Alan Micale, of Ayoub Engineering, explained in more detail the changes that Branse noted. He explained that the computer program that calculates the turning radius of the tanker is very conservative and what is shown on the map is designed by that program. He noted that the driver of the tanker can maneuver the rig much more precisely than shown on the map. He also reiterated that all tank fills will be scheduled by Gibbs at off-

peak hours about 3 times a week taking 20 minutes per fill. He noted that if the tanker does block the exit of the drive-through, a sign will be put up at the entrance to the drive-through indicating that it will be temporarily closed.

Gardner asked if the new tank location and truck position when re-filling will allow adequate access to the site for fire apparatus. Micale stated that the Fire Marshal reviewed the modified plans and saw no problems with site access.

Bruce Hillson, of Traffic Engineering Solutions, explained the change of the two lanes to a by-pass lane on 32. He felt that the proposal is safer and more efficient than what exists now, because of the by-pass lane, as well as the one-way entrance and exit, and the narrowed driveway width and better sight lines.

Goodwin questioned how safe can the changes make the site, when along with the changes comes an increase in the number of cars entering and exiting the site?

Chairman Favretti asked for the number of vehicles at peak hours now, and what they anticipate with the new proposed expansion. Hillson responded that currently the a.m. peak sees approximately 30 cars, and the p.m. peak sees approximately 40 cars. The proposed expansion anticipates seeing approximately 140 cars in the a.m. and approximately 90 cars in the p.m.

At this time Chairman Favretti asked for comments from the floor.

Julie Kessler of 20 Buckingham Road was very concerned with the traffic and the safety at this site. She mentioned that both she and her husband have been involved in separate accidents exiting the site, and she feels that any increase in traffic on the road, or in and out of the site, will have a negative impact on not only the neighborhood residents but anyone who travels on this already dangerous stretch of Route 32.

Chairman Favretti, noting no further public comment, asked for questions from Commission members.

Hall agreed the proposal won't generate much more traffic, but is concerned with the increase of vehicles entering and exiting the site. He anticipates backups on Route 32 because of vehicles turning in, and is concerned for the safety of people leaving the site due to the high speed of traffic on Route 32.

There were no further comments from the public or the Commission. Plante MOVED, Gardner seconded, to close the Public Hearing at 8:44p.m. MOTION PASSED UNANIMOUSLY.

Public Hearing:

Proposed rezoning from R-20 to PB-1, 93 Conantville Road, B. & C. McCarthy, o/a, File #1254

Chairman Favretti opened the Public Hearing at 8:49 p.m. Members present were Favretti, Gardner, Goodwin, Hall, Holt, Plante, Ryan and Zimmer. Padick read the Legal Notice as it was printed in the Chronicle and noted a 1-11-07 memo from G. Padick, Director of Planning.

Michael Dilaj, of Datum Engineering representing the applicant, presented the Commission with the neighborhood notification return receipts. Dilaj summarized the proposal and stated that the subject property is on public sewer, and has access to public water and to public transportation.

Chairman Favretti opened the floor for comment from the public.

Carol Callahan, resident of Eastbrook Heights Condominiums, expressed concern that re-zoning this site to PB-1 opens the area to increased traffic.

Phyllis Bratton, resident of Eastbrook Heights Condominiums, noted that currently business traffic either turns into the mall or into Ledgebrook, and that the business traffic doesn't go any farther than the stop sign. The zone change would open the site to any type of business and would bring traffic down farther into the residential part of Conantville Road.

Dilaj wanted to assure the public that if re-zoned to PB-1, any proposed use at this site would still have to come before the PZC for a Special Permit, and the use would then be discussed and a Public Hearing would be held.

Favretti noted that there were no further comments from the public or Commission members. Gardner MOVED, Plante seconded, to close the Public Hearing at 9:00p.m. MOTION PASSED UNANIMOUSLY.

Other Old Business:

Continued...Subdivision Application, Dunham Farm Estate, 3-lots on S.

Eagleville/Dunham Pond Roads, EJK Properties LLC., Applicant, File #1252

Discussion among Commission members and the Director of Planning continued. Ryan wanted to clarify for the record and the residents of Dunham Pond Association (D.P.A.) that there is no hostility on behalf of the PZC towards the D.P.A.

Favretti asked for volunteers to draft motions for and against the proposal; Hall and Goodwin agreed to work on motions with staff assistance. The deadline to act is the next meeting. Padick mentioned that even though the D.O.T. and the Assistant Town Engineer have given their approval, he feels the two driveways on Route 275 would not be as safe as one common drive, due to sight lines and traffic speed. Hall, Goodwin, Favretti, and Holt all agreed, and would like to see this point in any approval motion.

Request for site modification, driveway at 452 Storrs Road, Home Selling Team, File #510-2

With no discussion, Gardner MOVED, Hall seconded, that the Planning and Zoning Commission notify M. Dilaj, representing B. McCarthy of the Home Selling Team, that

the proposed 11/16/06 design for one-way drives on Storrs Road is not considered an acceptable alternative to providing an on-site emergency vehicle turnaround as required by condition #5 of the Commission's approval for expanded commercial use at 452 Storrs Road. Even with extensive signage as depicted on submitted plans, the proposed Storrs Road driveway would not prevent inappropriate use of the one-way entry and exit lanes and accordingly, this design would not appropriately address previously raised traffic safety concerns.

Furthermore, the Commission recommends that Condition #5 can be appropriately addressed with an on-site emergency vehicle turnaround to be located near the southeasterly corner of the proposed development area. The attached sketch plan, labeled alternative E, should be considered in designing an appropriate turnaround area.

In addition, it is noted that with respect to the existing commercial use at 452 Storrs Road, modification approval is required for use of the Bassetts Bridge Road driveway. A plan depicting parking and driveway layout for the existing use should be submitted to the Zoning Agent with the Town's modification application. The PZC Chairman, with staff assistance, is authorized to approve the Bassetts Bridge Road driveway in the location authorized in the PZC's 5/2/06 approval for expanded commercial use at this site. MOTION PASSED UNANIMOUSLY.

PZC-proposed revisions to the Zoning Map and Zoning Regulations, File #907-29 Chairman Favretti asked for comments and questions from the Commission. Members held extensive discussion, including topics such as the size of housing units, the impact on the land, impact on the community, the safety of the roads, the increase in population in that area of Town, compatibility of farm land in and or next to a residential area, the need for the agricultural land to remain viable and available in the area, and the Town's need for affordable housing.

Padick pointed out on the zoning map the areas that have the best farmland and the areas that contain wetlands. Plante suggested the Regulatory Review Committee meet to discuss the concerns raised in the Public Hearing, but Padick expressed concern about meeting in a sub-committee, and would like to get feedback from the Town Attorney and report his opinion at the next meeting.

Favretti suggested members re-read the regulations prior to the next meeting to continue discussion.

Special Permit Application, proposed efficiency unit at 920 Storrs Road, J.J. Luczak applicant, File #1255

Item tabled-Public Hearing scheduled for 2/5/07

Review of water supply requirements-DMR, ARH & PRD Zones

Padick gave a summary of his 12/28/06 memo regarding the Zoning Regulation interpretation of a public water facility, and an e-mail communication from the Town Attorney that provides background information. Padick stated that staff feels this issue necessitates a determination from the Planning and Zoning Commission. The general

consensus of the Commission was that Padick should draft motions for consideration at the next meeting.

Bonding/Subdivision Issues:

Items "a" through "e" were noted.

f. Maintenance Bond Scottron/Sheffield Drives- Chatham Hill Section 2, File #1131-2

Holt MOVED, Gardner seconded, that the Director of Planning be authorized to take appropriate action to release, in its entirety, the maintenance bond for the Chatham Hill Section 2 subdivision (File #1131-2), subject to elimination of two small ponding areas on the segment of trail immediately east of the new wetland crossing. MOTION PASSED UNANIMOUSLY.

g. Beacon Hill Estates, File #1214-2

Holt MOVED, Gardner seconded, that based on work completed, the Planning and Zoning Commission authorizes its Chairman with staff assistance to reduce bonding requirements for Beacon Hill Estates to \$200,000. A new bond agreement, with completion date of June 1, 2007, shall be executed in association with a reduction and term extension of an existing Letter of Credit held by the Town. The new bond agreement shall reference a subdivider commitment to maintain safe access to all occupied lots, including all necessary sanding and snow plowing during the winter season, and the new Letter of Credit shall be in effect until June 1, 2008. MOTION PASSED UNANIMOUSLY.

8-24 Referral Proposed acceptance of Jackson Lane-File #1231

Item tabled.

Potential Revisions to PZC/IWA Fee schedule

Item tabled.

Presentation by Paula Stahl from the Green Valley Institute on Open Space Subdivisions

Item tabled.

New Business:

None

Reports of Officers and Committees:

None

Communications and Bills:

The agenda items were noted, and Padick indicated that Commission members should contact him if they are interested in attending the CT Land Use Law Workshop.

Adjournment:

Favretti declared the meeting adjourned at 10:31 p.m.

Respectfully submitted,

Katherine K. Holt, Secretary